

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EUGENE VOLOKH, RUMBLE CANADA  
INC., and LOCALS TECHNOLOGY INC.,

*Plaintiffs,*

v.

LETITIA JAMES, in her official capacity as  
New York Attorney General,

*Defendant.*

Civil Action No.: 1:22-cv-10195-ALC

**NOTICE OF MOTION AND  
MOTION TO ENFORCE  
PRELIMINARY INJUNCTION  
ORDER**

Date: January 8, 2024

Time: 8:30 AM

Place: Courtroom 1306

Judge: The Honorable Andrew L.  
Carter

PLEASE TAKE NOTICE that as provided by Fed R. Civ. P. 27 and as ordered by this Court, ECF NO. 41, Plaintiffs Eugene Volokh, Rumble Canada Inc., and Locals Technology Inc., respectfully move for an order enforcing the Court's Preliminary Injunction Order dated February 14, 2023 and for such other and further relief as the Court deems just and proper. Plaintiffs motion will be heard on January 8, 2024, or as soon as counsel may be heard, at United States District Court for the Southern District of New York, 40 Foley Square New York, NY 10007.

This motion is necessary to halt New York's ongoing and future law enforcement investigations of "hateful" speech under the State's enjoined Online Hate Speech Law. [cite to law.] On October 12, 2023, Defendant New York Attorney General Letitia James sent investigation letters to six social media networks, including Plaintiff Rumble Canada, Inc. The

letters demanded that the networks provide detailed descriptions of their policies, practices, methods, and actions, as well as documents related thereto, showing how they address hate speech on their platforms—the exact subject matter the Online Hate Speech Law authorizes the Attorney General to investigate.<sup>1</sup>

As explained in the accompanying Memorandum of Law in Support of Plaintiffs' Motion to Enforce the Preliminary Injunction, the investigation letters violate this Court's February 14, 2023 order. Therefore, an order enforcing the preliminary injunction is necessary to halt Defendant's ongoing violations and prevent future violations of the order.

Respectfully Submitted,

Date: December 1, 2023

/s/ Daniel M. Ortner

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JAMES M. DIAZ\*

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<sup>1</sup> The Attorney General's letter is included as Exhibit A to the accompanying Declaration of Daniel Ortner in support of this motion .

Attorney Work Product  
Attorney-Client Privilege  
DRAFT of November 29, 2023

**CERTIFICATE OF SERVICE**

Plaintiffs' counsel confirms that a true and correct copy of the foregoing was served via the Court's electronic filing system on this day, December 1, 2023. Notice of this filing will be sent by operation of the Court's electronic filing system.

DATED: December 1, 2023

Respectfully submitted,

/s/ Daniel M. Ortner

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